

UNITED NATIONS
General Assembly
FORTY-SEVENTH SESSION
Official Records

FOURTH COMMITTEE
1st meeting
held on
Tuesday, 15 September 1992
at 4.10 p.m.
New York

SUMMARY RECORD OF THE 1st MEETING

Temporary Chairman: Mr. GANEV (President of the General Assembly)

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ELECTION OF THE CHAIRMAN

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Distr. GENERAL
A/C.4/47/SR.1
17 September 1992

ORIGINAL: ENGLISH

The meeting was called to order at 4.10 p.m.

ELECTION OF THE CHAIRMAN

1. Mr. FLEMMING (Saint Lucia) nominated Mr. Melendez-Barahona (El Salvador) for the office of Chairman.
2. In the absence of further nominations and in accordance with rule 103 of the rules of procedure, the TEMPORARY CHAIRMAN said that he would take it, if he heard no objection, that the Committee wished to elect Mr. Melendez-Barahona (El Salvador) Chairman.
3. Mr. Melendez-Barahona (El Salvador) was elected Chairman by acclamation.

The meeting rose at 4.15 p.m.

UNITED NATIONS
General Assembly
FORTY-SEVENTH SESSION
Official Records

FOURTH COMMITTEE
2nd meeting
held on
Tuesday, 6 October 1992
at 3 p.m.
New York

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Chairman: Mr. MELENDEZ-BARAHONA (El Salvador)

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REQUESTS FOR HEARINGS

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Distr. GENERAL
A/C.4/47/SR.2
9 October 1992

ORIGINAL: ENGLISH

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The meeting was called to order at 3.30 p.m.

STATEMENT BY THE CHAIRMAN

1. The CHAIRMAN welcomed the new States which had during the year become Members of the United Nations. Their presence embodied the United Nations principle of universality, and their participation in the Committee's deliberations would unquestionably advance the objectives of the Charter and help the Organization meet the serious economic, political, social, ethnic and environmental challenges it still faced.

2. Since 1945, more than 80 peoples had become sovereign States, under the impetus of the Declaration on decolonization and aided by the work of the Special Committee on decolonization. Unfortunately, the welcome trend towards decolonization and nationhood had lately been accompanied by fierce new assertions of nationalism and sovereignty, and the cohesion of States was, as the Secretary-General had warned in "An agenda for peace" (A/47/277-S/24111), threatened by brutal ethnic, religious, social, cultural or linguistic strife. At the same time, there remained some peoples which had yet to exercise their inalienable right to self-determination and independence.

3. Thus, the work of decolonization was not done. The United Nations had recognized that fact by designating the period 1990-2000 as the International Decade for the Elimination of Colonialism, and recently the leaders of the Non-Aligned Movement had at their latest Conference of Heads of State or Government in Jakarta made the completion of the decolonization process one of their major objectives.

4. The climate of détente and cooperation prevailing in the world and within the United Nations encouraged the hope that concerted decisions could be taken to resolve conflicts or defuse situations that threatened international peace and security, and that the Security Council would as it had pledged at its summit meeting in January, work closely with other Member States to deal with the old and new tasks before the Organization, especially those, like decolonization, whose completion was mandated by the Charter. Such renewed international cooperation should foster a constructive relationship between the administering Powers of the Non-Self-Governing Territories and the Special Committee, so that all could work to fulfil the Charter principle that the interests of the inhabitants of those Territories were paramount.

ELECTION OF OFFICERS (continued)

5. Mr. AL-BAKER (Qatar) nominated Mr. Kember (New Zealand) for one of the posts of Vice-Chairman.

6. Mr. KPOTOGBEY (Togo) seconded the nomination.

7. Mr. Kember (New Zealand) was elected Vice-Chairman by acclamation.

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ORGANIZATION OF WORK (A/C.4/47/1; A/C.4/47/L.1; A/INF/47/1)

8. The CHAIRMAN drew attention to document A/C.4/47/1 containing the list of agenda items allocated to the Committee and to document A/INF/47/1 containing a note by the Secretary-General on control and limitation of documentation. The Committee also had before it the Chairman's note on the organization of work (A/C.4/47/L.1), and he drew particular attention to paragraphs 3, 7 and 8. Also, he was suggesting that the Committee should begin with one general debate covering all the items allocated to it for debate by the General Assembly; and that it should also follow the established practice of considering chapter VI of the Special Committee's report (A/47/23 (Part III)) in conjunction with agenda item 99.

9. He would take it that the Committee wished to approve the provisional programme of work outlined in document A/C.4/47/L.1, subject to modifications required.

10. It was so decided.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (A/47/23 (Part V, chap. IX, and Part VI, chap. X), 225 and 391; A/AC.109/1097-1106, 1108-1113, 1116-1120, 1123-1125; S/23362, S/24040 and S/24464)

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AGENDA ITEM 99: ACTIVITIES OF THOSE FOREIGN ECONOMIC AND OTHER INTERESTS WHICH IMPEDE THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION AND EFFORTS TO ELIMINATE COLONIALISM, APARTHEID AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA (A/47/23 (Part III, chaps. V and VI); A/AC.109/1103-1104, 1110, 1113, 1117-1119, 1123 and 1124)

AGENDA ITEM 100: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (A/47/23 (Part IV, chap. VII), A/47/281 and Add.1; A/AC.109/L.1785; E/1992/85)

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (A/47/3 (chaps. I and V (sect. B)))

AGENDA ITEM 101: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES (A/47/486)

11. Mr. SHAHEED (Syrian Arab Republic) introduced the chapters of the report of the Special Committee on decolonization, relating to agenda items 18, 98, 99 and 100 (A/47/23 (Part V, chap. IX and Part VI, chap X; Part IV, chap VIII; Part III, chaps. V and VI; Part IV, chap. VII)).

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(Mr. Shaheed, Syrian Arab Republic)

12. In response to the requests made by the General Assembly in its resolution 46/71, paragraph 12, the Special Committee had given extensive consideration to the situation prevailing in the Non-Self-Governing Territories, as well as to the other related questions, and had adopted a series of recommendations and proposals thereon. Pursuant to paragraph 12 (d) of that resolution, it had paid special attention to the small Territories. In that regard, he drew attention to paragraphs 3, 4 and 6 of the draft resolution recommended to the General Assembly in chapter X, paragraph 25, of the Special Committee's report (A/47/23 (Part VI)).

13. The Special Committee had also considered the question of sending visiting missions to Territories; its recommendations in that regard were set forth in the recommended resolution contained in chapter IV, paragraph 17, of the report (A/47/23 (Part II)). The fourth preambular paragraph and operative paragraphs 1 and 2 were especially worth noting.

14. With regard to the question of the Trust Territory of the Pacific Islands, as indicated in chapter X, paragraph 23, of the report (A/47/23 (Part VI)), the Special Committee had decided to defer consideration of the question to its 1993 session.

15. He pointed out that France, the United Kingdom and the United States, as administering Powers, had not participated in the Special Committee's proceedings in respect of the Territories under their administration during the current year. The Special Committee hoped that the three Governments would reconsider their position in that regard.

16. With respect to information transmitted by the administering Powers to the Secretary-General under Article 73 g of the Charter, he drew attention to the draft resolution recommended in chapter VIII, paragraph 10, of the report (A/47/23 (Part IV)), especially the fifth preambular paragraph and operative paragraphs 3 and 4.

17. The Special Committee's recommendation on agenda item 99 was reflected in the draft resolution contained in chapter V, paragraph 15, of the report (A/47/23 (Part III)), submitted in accordance with paragraph 17 of General Assembly resolution 46/64. Special note should be taken of paragraphs 4, 5, 10, 11, 12 and 16 of the recommended draft resolution.

18. In accordance with established practice, and pursuant to paragraph 14 of General Assembly decision 46/419, the Special Committee had also considered the question of military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on decolonization. On that matter, it had recommended a draft decision which was set out in chapter VI, paragraph 12 of the report (A/47/23 (Part III)). He drew attention, in particular, to paragraphs 1, 2, 4 and 12 of the draft decision.

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(Mr. Shaheed, Syrian Arab Republic)

19. The question of the extension of assistance to the peoples of colonial Territories by the organizations of the United Nations system had continued to engage the close attention of the Special Committee. Accordingly, it had recommended the draft resolution contained in chapter VII, paragraph 15, of the report (A/47/23 (Part IV)). He drew attention, in particular, to the ninth and thirteenth preambular paragraphs and operative paragraphs 7, 8, 12, 13 and 16.

20. The CHAIRMAN suggested that the Committee should take note of the recommendation of the Special Committee regarding the Trust Territory of the Pacific Islands, contained in document A/47/23 (Part VI, chap. 10, para. 23).

21. It was so decided.

REQUESTS FOR HEARINGS

22. The CHAIRMAN informed the Committee that he had received nine communications containing requests for hearings under agenda items 18, 38, 99 and 100. He suggested that, in accordance with the usual practice, the communications should be circulated as Committee documents for consideration at a subsequent meeting.

23. It was so decided.

The meeting rose at 4.20 p.m.

UNITED NATIONS

General Assembly
FORTY-SEVENTH SESSION
Official Records

FOURTH COMMITTEE
3rd meeting
held on
Tuesday, 13 October 1992
at 3 p.m.
New York

SUMMARY RECORD OF THE 3rd MEETING

Chairman: Mr. MELENDEZ-BARAHONA (El Salvador)

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AGENDA ITEM 100: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (continued)*

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)*

AGENDA ITEM 101: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES (continued)*

* Items considered together.

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Distr. GENERAL
A/C.4/47/SR.3
16 October 1992

ORIGINAL: ENGLISH
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Hearing of petitioners

The meeting was called to order at 3.25 p.m.

EXPRESSION OF SYMPATHY IN CONNECTION WITH THE RECENT EARTHQUAKE IN EGYPT

1. The CHAIRMAN, on behalf of all the members of the Committee, expressed sympathy to the Government of Egypt in connection with the recent earthquake in that country.
2. Mr. ELZIMAITY (Egypt) thanked the Chairman for the expression of sympathy.

ELECTION OF OFFICERS (continued)

3. Mr. KPOTOGBEY (Togo) nominated Mr. Mwabulukutu (United Republic of Tanzania) for the office of Vice-Chairman.
4. Mr. Mwabulukutu (United Republic of Tanzania) was elected Vice-Chairman by acclamation.
5. Mr. KEMBER (New Zealand) nominated Mr. Al-Baker (Qatar) for the office of Rapporteur.
6. Mr. Al-Baker (Qatar) was elected Rapporteur by acclamation.

REQUESTS FOR HEARINGS (A/C.4/47/2 and Add.1-3; A/C.4/47/3-7)

7. The CHAIRMAN informed the Committee that he had received a communication containing a request for a hearing relating to the United States Virgin Islands, under item 18. He suggested that the communication should be circulated as a Committee document* for consideration at a subsequent meeting.
8. It was so decided.
9. The CHAIRMAN drew attention to nine communications containing requests for hearings concerning item 18, relating to Western Sahara (A/C.4/47/2 and Add.1-3), Guam (A/C.4/47/6) and New Caledonia (A/C.4/47/7); item 38, relating to the Falkland Islands (Malvinas) (A/C.4/47/4); item 100 (A/C.4/47/3); and item 99 (A/C.4/47/5). He took it that the Committee wished to grant those requests.
10. It was so decided.

* Subsequently circulated as document A/C.4/47/8.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (A/47/23 (Part V, chap. IX, and Part VI, chap. X), A/47/225, 391 and 506; A/AC.109/1097-1106, 1108-1113, 1116-1120 and 1123-1125; S/23362, S/24040 and S/24464)

AGENDA ITEM 98: INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS (continued) (A/47/23 (Part IV, chap. VIII), 120, 204, 240 and 473)

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AGENDA ITEM 100: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (continued) (A/47/23 (Part IV, chap. VII), A/47/281 and Add.1; A/AC.109/L.1785; E/1992/85)

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/47/3 (chaps. I and V (sect. B)))

AGENDA ITEM 101: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES (continued) (A/47/486)

11. Mr. LOHIA (Papua New Guinea), speaking as Chairman of the Special Committee on decolonization, said that the composition of the membership of the United Nations was a clear testimony to the Special Committee's achievement: 60 colonial Territories representing more than 80 million people had joined the Organization.

12. The Special Committee had kept its approach under constant review in order to adjust to changing circumstances and to improve its efficiency. That continuing review had gained renewed impetus since 1990 owing to the positive developments that had occurred in international relations since the end of the cold war.

13. In response to delegations which had felt that the Special Committee was not paying enough attention to the reality of the situation in the remaining 18 Non-Self-Governing Territories, the majority of which were small island Territories, the Special Committee had decided to take all necessary measures to focus its attention on the special needs of those Territories by using all available sources of information, the most authoritative being the views of the Territorial Governments and peoples concerned. The Special Committee had systematically encouraged the representatives of those Territories to participate in its work at Headquarters, as well as in the three regional seminars it had organized since 1990. It was in the process of organizing the

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(Mr. Lohia, Papua New Guinea)

Pacific regional seminar on decolonization for 1993 in Papua New Guinea, and in early 1992 had held a regional seminar in Grenada in which many representatives and non-governmental organizations from Non-Self-Governing Territories in the Caribbean had participated.

14. Convinced that decolonization could not be concluded without the full participation and cooperation of the administering Powers, the Special Committee had spared no effort to improve its relations with them. It must be noted, however, that, despite the Committee's continued efforts, results had not lived up to expectations. The Special Committee would continue its endeavours in that regard.

15. The Committee, with the assistance of the open-ended working group established in 1991, had taken steps, beginning at the previous session, to eliminate duplication, as well as to ensure the efficient and effective use of the Committee's limited resources; they included the merger of its two subcommittees and the consolidation into one single resolution of the individual resolutions on 10 of the 18 Territories.

16. Furthermore, to ease tension and to restore its dedication and constructive deliberations, the Special Committee, since 1990, had systematically reviewed the language of its resolutions and made a number of changes. No member country was unnecessarily singled out for criticism in the Special Committee's recommendations. Other adjustments had also been made, particularly with regard to the Committee's recommendations on activities of foreign economic and other interests and military installations in Non-Self-Governing Territories.

17. The Special Committee's reference to apartheid in its resolutions, which had been a matter of concern to some members in the Fourth Committee for the past two years, had been discussed at length. Finally, the Special Committee had decided not to eliminate reference to apartheid from its recommendations, since that might give the mistaken impression that the United Nations considered that apartheid had already been eradicated. The Committee had taken note with satisfaction of some positive changes that had occurred in South Africa in the past two years and accordingly had decided to continue to follow the situation closely with a view to preparing appropriate conclusions and recommendations to the General Assembly.

18. Another issue of concern had been the Special Committee's practice of reviewing every year the situation in the Trust Territory of the Pacific Islands. A number of delegations had expressed the view that, as a strategic Territory, the appropriate place for its consideration was the Trusteeship Council and the Security Council. The Committee had studied carefully those views. In order to foster a climate conducive to a constructive outcome of the efforts of the people and Government of Palau and the Administering Authority regarding the future political status of that Territory, the Special Committee had decided to defer consideration of the Trust Territory of the Pacific Islands until 1993.

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(Mr. Lohia, Papua New Guinea)

19. Similarly, the Special Committee, on the recommendation of its open-ended working group, had deferred to 1993 consideration of its decision of 15 August 1991 concerning Puerto Rico.

20. That was the background to the Special Committee's recommendations which had now been submitted to the Fourth Committee for its consideration. He assured members of his full cooperation with the Fourth Committee as it began its deliberations.

21. The CHAIRMAN said that, pursuant to General Assembly resolution 46/70 on the cooperation of specialized agencies and the international institutions associated with the United Nations, the Committee would now hear statements by the representatives of FAO and UNESCO.

22. Mr. SYROGIANIS CAMARA (Food and Agriculture Organization of the United Nations) said that the dismantling of apartheid in South Africa would continue to receive the full support of FAO. As it had already done in Namibia, FAO would soon begin technical assistance activities in South Africa. The experience gained through the technical assistance provided to the African National Congress (ANC) and the Pan Africanist Congress of Azania (PAC) would be useful in efforts to develop self-reliance in agricultural production and management skills.

23. As stated in document A/47/281, FAO was executing four technical assistance projects in some countries in the South Pacific still under colonial rule. In the small Territories of the Caribbean, FAO was cooperating with UNDP and the Caribbean Community to develop activities pertaining to management of the exclusive economic zone and to agriculture. As indicated in document A/47/281, FAO was also involved in reviewing and commenting on the country programmes of those Territories.

24. The FAO Conference in November 1991 had made history by admitting a non-independent country, Puerto Rico, as an associate member of FAO. Thus, Puerto Rico now participated in conferences and meetings organized by FAO and benefited from its assistance.

25. Mr. KEMBER (New Zealand) said that his delegation, as one of the sponsors of the resolution inviting the specialized agencies to participate in the work of the Committee, was delighted with the presence of the representatives of FAO and other specialized agencies. He wondered whether the four FAO technical assistance projects in the South Pacific included the Trust Territory of the Pacific Islands.

26. Mr. SYROGIANIS CAMARA (Food and Agriculture Organization of the United Nations) said that the projects involved not only Palau but also independent Pacific nations; for instance, one project in which Tokelau was involved also covered Tonga and Western Samoa.

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27. Mrs. DUKULY-TOLBERT (United Nations Educational, Scientific and Cultural Organization) said that pursuant to General Assembly resolution 46/70 UNESCO had continued its programmes of assistance to Anguilla, the British Virgin Islands, the Cayman Islands, Montserrat and the Turks and Caicos Islands, relating, inter alia, to the development of teaching materials, provision of scholarships, restoration of historical sites, upgrading of information facilities, the eradication of illiteracy, and technical and vocational education. In respect of Anguilla, UNESCO, jointly with the British Development Division, had been supporting the development of teaching materials.

28. With respect to liberation movements, UNESCO had, following past practice, provided an international fellowship in the United Kingdom to a candidate put forward by the African National Congress (ANC). Educational equipment costing \$18,000 had been purchased by the education centres of ANC and PAC (Pan Africanist Congress of Azania). UNESCO had also organized a seminar on the future of ANC's education centres. Representatives of ANC and PAC had been enabled to attend the twenty-sixth session of the UNESCO General Conference held in October/November 1991.

29. Although the ANC education centres had been closed, UNESCO would continue to execute the five educational projects funded by UNDP to provide primary to university training for candidates put forward by ANC and PAC, with an overall cost of about \$4 million.

30. Certain other educational activities were also being carried out in Africa by UNESCO, notably assistance to the University of Namibia and the UNITWIN university network for southern Africa, which promoted cooperation between Zimbabwe, Mozambique, Namibia and, in the future, South Africa. UNESCO would continue to assist those countries despite the diminution of its resources due to the withdrawal of two major contributors.

31. Mr. YAQUBI (Afghanistan) said that through the years, the Special Committee on decolonization had steadfastly pursued the cause of self-determination, in accordance with its mandate. At a time of relaxation of international tensions and increasing political and economic integration, it was important not to allow the Non-Self-Governing Territories to be relegated to a secondary plane. His delegation firmly believed that there were opportunities to solve the global problems for the benefit of the people without any discrimination.

32. On the Question of East Timor, his delegation fully supported the Secretary-General's efforts and hoped the concerned parties would fully cooperate with them. With regard to Western Sahara, it supported the ongoing efforts of the Secretary-General and the current Chairman of the Organization of African Unity (OAU) towards the implementation of the settlement plan calling for a referendum to be organized and conducted by the United Nations in cooperation with OAU.

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(Mr. Yaqubi, Afghanistan)

33. The United Nations should look forward to the day when its work in the field of decolonization was no longer necessary. Until that day, administering Powers should cooperate with the Fourth Committee and the relevant United Nations agencies.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (continued)

Question of Guam (A/47/23 (Part VI))

Hearing of representatives of Non-Self-Governing Territories

34. At the invitation of the Chairman, Mr. Guerrero (representing the Governor of Guam) took a place at the table.

35. Mr. GUERRERO, speaking on behalf of the Governor of Guam, noted that the Government of Guam was appearing before the Committee for the first time in order to share its views and make known the aspirations of the Guamanian people.

36. In 1987, the people of Guam had endorsed by plebiscite a draft Commonwealth Act, which was subsequently transmitted to the administering Power. The proposal provided for Guam and the administering Power to establish an interim commonwealth arrangement whereby Guam would assume full internal self-government, and, in conformity with General Assembly resolutions 1514 (XV) and 1541 (XV), made provision for the exercise of self-determination by the indigenous Chamorro people of Guam. The Commonwealth Act was the first plan for the decolonization of the island in its history.

37. Since 1988, the Guam Commission on Self-Determination had engaged the administering Power in discussions about the proposal for interim self-government. It had made some progress, but had also met with intransigence on most substantive matters. The process would continue, as Guam's quest for commonwealth status was to be taken up by the United States Congress some time in 1993.

38. His Government had been disappointed, meanwhile, that recent General Assembly resolutions on the question of Guam had not thoroughly reflected internationally established principles for decolonization. Although General Assembly resolution 43/42 had urged the administering Power "to give full recognition to the status and rights of the Chamorro people as provided for in the draft Commonwealth Act", by 1991 all reference to Guam's indigenous people, and to the Commonwealth Act, had disappeared from the resolution on the question of Guam. Worse, that year's resolution had contained language, in paragraph 1, that appeared to make Guam's right to self-determination a conditional one. It was his Government's firm belief that a people's right to self-determination was an inherent one, and that conditions should never be placed on that internationally accepted principle.

(Mr. Guerrero)

39. The resolution adopted by the Special Committee on decolonization on 28 July had been a marked improvement over the 1991 resolution. It had appropriately recognized the existence of the indigenous Chamorro people and due consideration had been given to his Government's discussions with the administering Power on Guam's political status and right to self-determination. The Government of Guam looked forward to further refinements in the future.

40. Mr. Guerrero withdrew.

Hearing of petitioners (A/C.4/47/6)

41. At the invitation of the Chairman, Ms. Souder (Organization of People for Indigenous Rights) took a place at the petitioners' table.

42. Ms. SOUDER (Organization of People for Indigenous Rights) said that her organization was deeply concerned with the weakening of the resolution on Guam over the past few years, and with the reworking of the language of the 1992 draft resolution at the insistence of the administering Power. She urged the Committee to reinstate the language of resolution 43/42, in which the General Assembly explicitly recognized the right of the Chamorros to self-determination and urged the administering Power to give full recognition to the status and rights of the Chamorro people as provided for in the draft Commonwealth Act.

43. It was a tragic irony that Guam remained a colony near the end of the twentieth century. Its people had approved a process of decolonization only to find the administering Power actively engaged in attempting to remove recognition of that process. By its resolution 43/42 the General Assembly had called on the administering Power to recognize the right of the Chamorro people to self-determination under the terms of the Commonwealth Act. By 1989, however, the resolution on Guam (resolution 44/98) had dropped reference to self-determination in accordance with that Act, and in the latest draft resolution in document A/47/23 (Part VI) there was no reference to the Chamorro people, nor even to the plan calling for Guam's decolonization that had been transmitted to the administering Power.

44. It seemed incumbent on the Committee to recognize that plan, the only one in Guam's 350-year history as a colony to call for decolonization through an act of Chamorro self-determination. Moreover, other erosions of the language of the resolution demanded review. Language introduced in 1991 before the Fourth Committee by the administering Power would make Guam's right to self-determination contingent upon the military interests of that Power. The initial wording of the resolution (46/68 B VI, para. 1) in its draft form had called upon the administering Power "to ensure that the presence of military bases and installations in the Territory would not constitute an obstacle to the implementation of the Declaration ... nor hinder the population of the Territory from exercising its right to self-determination". At the request of

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(Ms. Souder)

the administering Power the word "would" had been replaced by "should", thereby debasing the whole process of self-determination. As that wording was again before the Committee, it must address the matter; the support expressed by the Government of Guam and the Organization of People for Indigenous Rights before the Committee had been based on the original wording. The use of the word "should" to modify the right of self-determination made a mockery of the very principles of the Declaration, to which nearly half of the General Assembly owed their existence as nation States.

45. An important issue not raised in the resolution needed to be addressed: the continued immigration of settlers to Guam. The 1980 Plan of Action had made abundantly clear a moral obligation that had previously always been understood, namely that administering Powers should not encourage immigration into Territories, and yet the most recent census figures showed that by 1990, over half of Guam's population were not Guamanian-born, and nearly a third had come to Guam after 1985. The administering Power was in fact overseeing a process of assimilation of the Chamorro people in their homeland. The people of Guam had, through the Commonwealth Act, expressed their wish that immigration should be halted. Every day that United States immigration policies continued to apply to Guam, the role of the Chamorro people in their homeland was being reduced. That flagrant violation of accepted standards of responsibility must be addressed, forcefully, by the United Nations. Otherwise, the Organization would be faced with a much more difficult proposition in the future, as the Chamorro people would ultimately react in a negative way to demographic changes that took from them control of their patrimony. The administering Power's actions made a mockery of the Declaration.

46. The Committee was not likely, she conceded, to mandate United States immigration policy for Guam, but it could state categorically that the Chamorros had the unconditional right to self-determination without interference from non-Chamorros, whatever their citizenship, and she urged it to do so, using the language of the 1988 resolution.

47. Ms. Souder withdrew.

AGENDA ITEM 99: ACTIVITIES OF THOSE FOREIGN ECONOMIC AND OTHER INTERESTS WHICH IMPEDE THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION AND EFFORTS TO ELIMINATE COLONIALISM, APARTHEID AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA (continued)

Hearing of petitioners (A/C.4/47/5)

48. At the invitation of the Chairman, Mr. González-González took a place at the petitioners' table.

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49. Mr. GONZALEZ-GONZALEZ, speaking in a personal capacity, said that only those divorced from the social and economic realities in colonial Territories could put forward the capitalist argument that the activities of transnational corporations were not always an obstacle to the implementation of the Declaration. The primary aim of the rich was always to become richer and more powerful, and the presence of foreign economic interests in the enslaved Territories without the consent of the people always spelt exploitation and interference in local politics, culture and life.

50. Similarly, military bases in the colonial Territories existed to protect the masters, not the local people: there could be no other explanation for the saturation with military bases by the United States of its colonial Territories like Puerto Rico and Guam, or, mutatis mutandis, for the similar situation regarding the military installations of the United Kingdom and France.

51. Cynically, the imperialist masters used a Territory's schools and media to mold the local people's way of thinking so as to corrupt their culture, stamp out their instincts for freedom and make them submissive. The friends of the imperialists in the United Nations were accomplices in such ignominy, either by their applause or by their silence; and that complicity was one of the main obstacles to the implementation of the Declaration.

52. The aim being pursued by the United States, with its stranglehold on the Security Council and on the purse-strings of the United Nations, was to neutralize the Declaration and to have the Fourth Committee disbanded or merged with some other Committee. In a recent document submitted by the United States to the Special Committee on decolonization, for example, any mention of General Assembly resolution 1514 (XV) was significantly absent, as was any reference to the handing over of power to dependent peoples. The United States argued instead that the remaining Territories still on the agenda of the Special Committee should be considered under Chapter XI of the Charter - a text which, if carefully read, could be seen to propound only cosmetic changes within colonies, without concerning itself with self-determination or with true decolonization and release from slavery.

53. On the five hundredth anniversary of the discovery of the New World, he wished to note that, of the 19 Hispano-American nations founded by Spain 500 years earlier, only Puerto Rico remained in bondage.

54. Mr. González-González withdrew.

The meeting rose at 5.05 p.m.

UNITED NATIONS
General Assembly
FORTY-SEVENTH SESSION
Official Records

FOURTH COMMITTEE
4th meeting
held on
Monday, 19 October 1992
at 3 p.m.
New York

SUMMARY RECORD OF THE 4TH MEETING

Chairman: Mr. MELENDEZ-BARAHONA (El Salvador)

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4 November 1992
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The meeting was called to order at 3.30 p.m.

REQUESTS FOR HEARINGS (A/C.4/47/7/Add.1 and A/C.4/47/8)

1. The CHAIRMAN informed the Committee that he had received a document containing a request for hearings relating to the question of the United States Virgin Islands (A/C.4/47/8). If he heard no objections, he would take it that the Committee wished to grant the request.

2. It was so decided.

3. The CHAIRMAN informed the Committee of the receipt of a communication containing a request for hearings relating to the question of New Caledonia under agenda item 18. If he heard no objections, he would take it that the Committee decided to have the request circulated as a document of the Committee (A/C.4/7/Add.1).

4. It was so decided.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (continued) (A/47/23, parts II-VII; A/C.4/47/2 and Add.1-3, A/C.4/47/3-8, A/C.4/47/L.2)

Question of Western Sahara

5. The CHAIRMAN drew attention to a draft resolution which had been submitted on the question (A/C.4/47/L.2).

Hearing of petitioners

6. At the invitation of the Chairman, Ms. Danielle Smith (Western Sahara Awareness Project, Inc.) took a place at the petitioners' table.

7. Ms. SMITH (Western Sahara Awareness Project, Inc.) said that the United Nations, which for almost 30 years had supported the process of decolonization of Western Sahara, was the only institution capable of bringing a just and lasting peace to the region. The Moroccan invasion of 1975, like the Iraqi invasion of Kuwait, had been a violation of international law.

8. Aerial bombardments by the Moroccan army had forced the Saharans to seek shelter in Algeria, where they currently numbered 165,000. A whole generation of Saharans had come of age under abnormal conditions and many had lost their parents or had been separated from their families. Under Moroccan occupation, the Saharans lived in a permanent state of siege, in constant fear of being imprisoned, tortured and even killed. Amnesty International had confirmed the disappearance of 800 Saharans since 1975. The Moroccan authorities were carrying out a policy of "Moroccanization" and were systematically erasing all traces of Saharan cultural identity.

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(Ms. Smith)

9. The major components of the United Nations peace plan for Western Sahara had been accepted by both parties to the conflict. In July 1991, the Saharans living in refugee camps in Algeria had been imbued with optimism, so confident had they been that the United Nations would be able to restore peace and to organize a free and fair referendum; by January 1992, however, the majority had had doubts about the future and had been puzzled by the failure of the United Nations to insist on Moroccan compliance with the peace plan.

10. It seemed that, from the very beginning, the Moroccan Government had had no intention of allowing the plan to succeed. In August 1991, it had attacked sites controlled by the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO) and had destroyed buildings and infrastructure specifically constructed for the arrival of United Nations military observers. She described the difficult circumstances under which the military observers whose supplies had been withheld and whose lives had been threatened were operating, as the United States Senate Foreign Relations Committee had found; the Foreign Relations Committee's investigation had also found that the Moroccan authorities had restricted the movements of the military units and had refused to provide them with information concerning Moroccan troop strengths and the location of minefields.

11. Morocco had violated the cease-fire 178 times in contrast to 6 violations by the Frente POLISARIO. Through population transfers, it had violated the settlement proposals and challenged the authority of the United Nations, despite its earlier commitments. The outgoing Secretary-General had surprised everyone by proposing, without consulting the Frente POLISARIO, six new criteria for voter identification, thus giving the impression of having ceded to the Moroccan demands. Fortunately, the Security Council had rejected the new criteria and had called upon the incoming Secretary-General to review the question; it was regrettable, however, that the United Nations was renegotiating an issue that had already been resolved in the original settlement proposals.

12. The Moroccan Government had included Western Sahara in a referendum and in elections in held in Morocco. It had responded violently to peaceful demonstrations by Saharans calling for the implementation of the peace plan. She appealed to the Secretary-General to conduct an investigation of the numerous incidents in which Saharan demonstrators had been arrested and, in some cases, had disappeared.

13. The original settlement plan, which had been accepted by both parties, offered a unique opportunity to resolve the question of Western Sahara. The Frente POLISARIO had endeavoured to ensure its success, but unfortunately, Moroccan intransigence threatened to derail the process. The credibility of the United Nations was at stake in the matter, and the Organization should explore all political options with a view to ensuring Morocco's full compliance with the plan, including by imposing sanctions, if necessary.

14. Ms. Smith withdrew.

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15. At the invitation of the Chairman, Ms. Theresa K. Smith de Cherif (Sahara Fund, Inc.) took a place at the petitioners' table.

16. Ms. SMITH de CHERIF (Sahara Fund, Inc.) said that in 1991 there had been great hope for a referendum on Western Sahara, but that after a year of shuttle diplomacy and indirect talks, the hope for peace in Western Sahara had all but evaporated. If the United Nations failed in Western Sahara, war would probably resume, bringing instability to the region, which would impair the Organization's ability to carry out other peace-keeping missions or to undertake new operations.

17. The same resolve which the world had shown in confronting the Iraqi aggression against Kuwait must be mobilized for the Saharans. The occupation of Western Sahara by Morocco contravened important principles of international law which should not be allowed to fall by the wayside simply because the Saharans were not rich and did not have oil. Even if they were a small nation, the Saharans were no less deserving of the right to choose their destiny freely.

18. In setting up the United Nations Mission for the Referendum in Western Sahara (MINURSO), the Security Council had assumed that both parties had agreed to the United Nations plan to use the 1974 Spanish census as the basis for the voter rolls. Even before the entry into force of the cease-fire, however, Morocco had refused to accept the list drawn up on that basis and had demanded an increase of 168.5 per cent in the voter rolls, thus overwhelming the voter identification mechanism. The eligibility criteria proposed by the former Secretary-General appeared to be nothing more than measures to accommodate the Moroccan position and were completely illogical. No agreement on expanding the criteria had been reached in more than a year, and as progress was highly unlikely, the Spanish census, which had a slight margin of error and which had been accepted by both parties, represented an acceptable compromise - especially since it had the merit of having been conducted by Spain, which had no interest in the current conflict. The Security Council should therefore oppose any attempt to predetermine the outcome of the referendum.

19. Issues concerning the accountability of MINURSO cast further doubts on its capacity for successful operations. It was not clear whether there had been deliberate obstruction of the reporting mechanism but, in view of the complaints of military observers concerning the lack of communication with New York and the issue of so-called confirmed or unconfirmed violations, the question arose as to why the United Nations would send military observers into the field if it could not rely on them to confirm violations. In addition, there had been reports of irregularities in MINURSO expenditures, specifically, a difference in the amount which the observers were charged according to whether they were stationed behind Moroccan lines (\$70 per day) or in the sector held by the Frente POLISARIO (\$65 per day). The fact that the extremely lucrative contract to supply MINURSO with various goods had been awarded to one of the parties to the conflict was likewise deplorable.

(Ms. Smith de Cherif)

20. The Sahara Fund was further concerned that the rights of Saharans had been violated not only by Morocco, which was continuing its pattern of arbitrary arrests and incommunicado detentions of Saharan civilians - several of whom had disappeared - but also by MINURSO, which had turned away asylum-seekers in contravention of the relevant norms of international law.

21. Moreover, Morocco had transferred part of its civilian population into the territory of Western Sahara, in flagrant violation of the Geneva Conventions of 1949 and of paragraphs 72 and 73 of the peace plan. Such attempts had been stopped in Cambodia, and she wondered why that had not been true in Western Sahara.

22. It was incumbent upon the United Nations to respond to the key questions raised by the situation in Western Sahara, if for no other reason than for the sake of Saharan children, who were the innocent ones.

23. Ms. Smith de Cherif withdrew.

24. At the invitation of the Chairman, Mr. Chopra (Brown University) took a place at the petitioners' table.

25. Mr. CHOPRA (Brown University) said that for the first time since the signing of the Charter, the members with the greatest responsibility in the Organization for maintaining peace and security had found it possible and necessary to ensure that power would begin to pay tribute to reason. Everywhere there was evidence of a brave new world, and Brown University was aware of such a shift from the research it was conducting with the intention of developing a new concept of operations for United Nations peace-keeping forces and other United Nations missions.

26. Military changes often lagged far behind the pace of political development. Unprecedented agreements had committed the Organization to a number of tasks more complex than ever before, but tragically it lacked adequate means to tackle those tasks, and was perhaps heading towards a disaster. The disaster had already begun in Western Sahara.

27. MINURSO itself was a historic experiment, for never before had all five permanent members of the Security Council been represented in an operation in the field. Neither the United Nations Transition Assistance Group (UNTAG) in Namibia nor the United Nations Transitional Authority in Cambodia (UNTAC) had been given the full powers for the maintenance of law and order that MINURSO was supposed to have. However, despite the significance of the MINURSO experiment, it was not perceived as such. The Security Council itself regarded it as a bad experience and the Pentagon cited it as a reason against the participation of United States contingents in United Nations-controlled operations. The military observers in the field had the sense of being part of a forgotten operation for which Headquarters was not providing the requisite political support. The observers, veritable hostages, had no

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(Mr. Chopra)

freedom of movement and were operating under the surveillance of Moroccan security forces. The population had no right to communicate with MINURSO and he himself had been arrested twice for trying to meet with United Nations officials.

28. That was costing the Organization its credibility, and the United Nations had become the enemy of Morocco while the Frente POLISARIO was losing faith in the Organization's capacity to fulfil its mandate. Optimism had turned to pessimism, thus intensifying the potential for renewed conflict.

29. The Moroccan authorities were attempting to redefine the identity of the Territory through forced movements of populations, who were given free food and accommodation in Western Sahara but were not free to leave. History had shown that that type of operation had always led to the greatest excesses, to mass expulsions, forced repatriations and in the worst scenarios, ethnic cleansing and genocide.

30. Rather than emphasizing the legal aspect of the problem, issues having to do with the law had, for political expediency, been relegated to diplomatic negotiation. It was generally agreed that the concept of self-determination constituted a legal right and no longer merely a political principle.

31. Reviewing the legal concept of self-determination, he remarked that in the case of Western Sahara the word "people" must refer to the inhabitants of the area delimited by Spanish colonial occupation, a list of whom appeared in the 1974 census conducted by Spanish authorities. One of the parties could not now put forward 120,000 names for addition to that list on the pretext that they were ethnically Saharan. He referred to a number of documents providing a legal basis for the settlement of the question of Western Sahara, which were binding not only on the two parties but also on the United Nations.

32. Namibia and Western Sahara were always cited as illustrations of the principle of self-determination in any basic text on international law, and it would be a tragedy and an irony of history if the credibility of self-determination as a legal principle was undermined in one of the very cases that defined it, and if at the end of the process of decolonizing the continent, the last colony in Africa failed to achieve independence.

33. Mr. Chopra withdrew.

34. At the invitation of the Chairman, Mr. Ahmed (Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO)) took a place at the petitioners' table.

35. Mr. AHMED (Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO)), recalling Security Council resolutions 658 (1990) and 690 (1991), said that the sole basis for a referendum of self-determination was the 1974 census. A margin of error was of course

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(Mr. Ahmed)

expected. However, instead of a margin of 1 to 5 per cent, Morocco was speaking of a margin of 225 per cent and had come out with a list of 170,000 Moroccan nationals whom it intended to have added to the electoral roll.

36. Furthermore, Morocco had taken a whole series of actions that ran counter to the settlement plan: 170 cease-fire violations; an intensification of the repression of the Saharan civilian population despite the United Nations presence; the organization of elections in which Western Sahara was considered an integral part of the Kingdom of Morocco; and so on. All were measures which, to judge by the reactions of the international press, the United States Senate and the European Parliament, had aroused concern and uncertainty.

37. Worse yet, the former Secretary-General, in his report of 19 December 1991, had, to satisfy Morocco and without the knowledge of the Saharan party, introduced a number of principles contrary to the main clause of the settlement plan, a dismaying step that was unacceptable. The Special Representative of the Secretary-General had undertaken a mediation mission with the intention of bringing the positions of the two parties closer together, but after five months of indirect negotiations, all that he had been able to do was to note the wide divergence of views on principles unconnected with the 1974 census, such as the impartial and independent verification of applications from Moroccan subjects whose ancestors had been born in Western Sahara, in some cases at the beginning of the century, or who had resided for 6 to 12 years in the Territory between 1884 and 1974.

38. Underscoring the responsibility of Morocco, which persisted in seeking a referendum rigged from the start, he appealed to the international community to ensure the success of the process that was under way, because failure could only seriously undermine the credibility of the United Nations. He also called upon the Moroccan leaders not to fail to seize the historic opportunity offered to them to help establish peace, democracy and development in the region.

39. Mr. Ahmed withdrew.

Question of the United States Virgin Islands

Hearing of petitioners

40. At the invitation of the Chairman, Ms. Bourne (Save Long Bay Coalition, Inc.) took a place at the petitioners' table.

41. Ms. BOURNE (Save Long Bay Coalition, Inc.) began by reviewing the origin of the dispute between the Government of the United States Virgin Islands and the Danish company, West Indian Company, Ltd. (WICO). The courts of the administering Power had decided in favour of WICO without taking into account the status of the United States Virgin Islands as a Non-Self-Governing Territory. WICO thus had the power to develop the harbour area of Charlotte

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(Ms. Bourne)

Amalie, the capital of Saint Thomas, and to exercise its property rights on land reclaimed from the sea that was free from most of the relevant governmental regulations in force.

42. The administering Power had proposed that the Government should utilize its power of expropriation by immediately paying the market value for the landfill. However, for lack of funds, the Government was incapable of exercising that power. Under pressure from the public and from the international community, WICO had offered to sell all of its shares to the Government for \$65 million. However, it had imposed impossible deadlines for the signing of the contract and the consummation of the sale, leading to speculation in many quarters that the offer had been simply a manoeuvre, especially since WICO had unilaterally decided to call a halt to the negotiations.

43. Furthermore, WICO had put forward a plan for development of the landfill and surrounding areas, which would have an adverse impact, particularly on the marine environment. In addition, by submitting the same documentation to obtain permits for both the landfill and the adjacent land, WICO was apparently trying to have the same favourable terms applied to the latter as to the former.

44. Since the issue was above all an issue of sovereignty, she urgently requested the United Nations to persuade the administering Power to provide the Territory with the needed resources to allow it to resolve the problem.

45. Ms. Bourne withdrew.

Hearing of representatives of Non-Self-Governing Territories

46. The CHAIRMAN recalled that at its second meeting he had informed the Committee that the representative of the Government of the United States Virgin Islands wished to speak at the current meeting. With the approval of the Committee and in accordance with established practice, he suggested that the Committee should invite that representative to make a statement.

47. It was so decided.

48. Mr. CORBIN (Representative of the Government of the United States Virgin Islands) said that the omnibus resolution recommended by the Special Committee accurately reflected the situation in the Non-Self-Governing Territories and he therefore urged the Committee to adopt it. He noted that the decisions and resolutions of the General Assembly on decolonization were not being properly implemented since there was no requirement for a report on implementation.

49. In the important recommendations they had adopted (A/AC.109/1114), the participants in the Regional Seminar to Review the Special Development of Island Territories, held in Grenada in 1991, had reiterated their support for

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(Mr. Corbin)

the Declaration on the Granting of Independence to Colonial Countries and Peoples and emphasized the need for its implementation in relation to the remaining colonial Territories without any conditions or reservations; called for the creation of specific programmes to guide and assist the economic development of those Territories, stressed the need for the Non-Self-Governing Territories to be included in the programmes of the United Nations system in the context of the International Decade for Natural Disaster Reduction; called for greater participation in subregional, regional and international organizations; called on the Special Committee to collaborate with the Working Group of Non-Independent Caribbean Countries of the Caribbean Development and Cooperation Committee; asked for provision to be made for representatives of elected governments of the territories to participate as observers at meetings of the Special Committee and its subcommittee, and in technical meetings of the Economic and Social Council and the General Assembly; called for an intensification of the provision of information on decolonization to the people of the Non-Self-Governing Territories; and called on the United Nations to establish a mechanism for representing the interests of those Territories and articulating their needs.

50. It was disappointing that, as in the past, the United Nations system had failed to take into account the recommendations made by the representatives of the Territories. Even the resolutions adopted by the General Assembly in the field of decolonization had not been implemented; in that respect, he rejected the argument that that situation was the result of budgetary difficulties. The United Nations must adapt its methodology to the decolonization process and work to support the remaining Non-Self-Governing Territories. The United Nations could take advantage of its ongoing restructuring and the current international situation to complete the decolonization process, as advocated by the Secretary-General in "An agenda for peace", by ensuring the participation of the Non-Self-Governing Territories in the process of self-determination.

51. Mr. Corbin withdrew.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (A/47/23 (parts II to VII), A/47/506; A/C.4/47/2 and Add.1-3, A/C.4/47/3, A/C.4/47/4, A/C.4/47/6-8, A/C.4/47/12; A/AC.109/1077-1106, 1108-1113, 1116-1120, 1123-1125; A/AC.109/L.1785; S/23299, S/23362, S/24040 and S/24464)

AGENDA ITEM 98: INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS (A/47/189, A/47/204-S/23887, A/47/240, A/47/473)

AGENDA ITEM 99: ACTIVITIES OF THOSE FOREIGN ECONOMIC AND OTHER INTERESTS WHICH IMPEDE THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION AND EFFORTS TO ELIMINATE COLONIALISM, APARTHEID AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA (A/C.4/47/5)

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AGENDA ITEM 100: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (A/47/281 and Add.1)

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (A/47/3 (chap. I and V, sect. B); E/1992/85)

AGENDA ITEM 101: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES (A/47/486)

52. Mr. CHIARADIA (Argentina), speaking also on behalf of Bolivia, Chile, Colombia, Ecuador, Honduras, Mexico, Nicaragua, Paraguay, Uruguay and Venezuela, reaffirmed the commitment of those countries to the cause of decolonization and their support for the work of the Fourth Committee and of the Special Committee on decolonization. Although that was the area in which the United Nations had achieved the greatest success, much remained to be done to conclude the decolonization process, taking into account, in particular, the current background of a rapidly changing international situation.

53. He welcomed the revised programme of work and the merging of the two subcommittees of the Special Committee; he was encouraged that that trend was growing and was producing concrete results which benefited the Non-Self-Governing Territories and the decolonization process in general.

54. At the same time, he acknowledged the progress made by the Fourth Committee in achieving consensus on many issues; the efforts in that field should be increased so as to find pragmatic solutions and new approaches in line with the changes that had occurred in the international situation, the ultimate objective being the full implementation of General Assembly resolution 1514 (XV) in the remaining Non-Self-Governing Territories.

55. The countries on behalf of which he was speaking noted with satisfaction that more flexible relations were being developed between the Committee and the Special Committee and real complementarity was being established between the activities of the two bodies. It would be very useful for the bureaux of the Committee and of the Special Committee to coordinate their work regularly, both during the regular session of the General Assembly and at the session of the Special Committee.

56. The implementation of resolution 1514 (XV) and the completion of the decolonization process required a combined effort of the administering Powers and the decolonization bodies of the United Nations. In that respect, he called on the administering Powers to submit regular up-to-date information, including economic and demographic data, on political, economic and social changes, in the Territories they administered. The administering Powers should also allow access to the Territories by visiting missions which, through direct contact with the population, could provide the United Nations with additional information.

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(Mr. Chiaradia, Argentina)

57. Similarly, the United Nations and the administering Powers should jointly ensure that the indigenous peoples were duly informed of the options available to them when deciding on their political future. They should also be informed about the economic possibilities offered by the development of their natural resources - which they should freely control - and about environmental protection. Care must also be taken to ensure that the colonial Territories and adjacent areas were not used for the conduct of nuclear tests or the deployment of nuclear weapons or other weapons of mass destruction, or for illegal purposes such as drug trafficking or the laundering of drug money. It should be noted that military installations and bases in the Non-Self-Governing Territories could very often be an obstacle to the implementation of the principles of the United Nations Charter and of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

58. It was important that there should be an adequate economic base to support the Non-Self-Governing Territories in the genuine exercise of their right of self-determination; in that respect, foreign economic activities must not run counter to those objectives. Care must therefore be taken to ensure that the development of natural resources took place in the context of sustainable development and that the benefits secured were used for the peoples of those Territories.

59. The group of countries on behalf of which he was speaking reaffirmed that the United Nations and especially its bodies dealing with decolonization should continue to participate actively in the various decolonization processes in respect of the remaining Non-Self-Governing Territories, within the framework of the implementation of resolution 1514 (XV).

60. As to the Latin American region, the countries on behalf of which he was speaking, noting the current state of bilateral relations between the Argentine Republic and the United Kingdom, believed that the understanding between those two nations was conducive to the resumption of negotiations with the aim of finding a just and lasting solution to the dispute concerning sovereignty over the Malvinas Islands.

61. With regard to Western Sahara, the eleven countries called on the two sides to cooperate fully with the Secretary-General and his special representative in implementing the provisions of the United Nations peace plan, which the Security Council had approved and supported in resolutions 658 (1990) and 690 (1991), so that a free and fair referendum could be held, affording the Saharan people the opportunity to exercise their right of self-determination, with the active participation of the United Nations through MINURSO.

62. With regard to New Caledonia, those countries considered that dialogue between the parties was the most appropriate method of finding just solutions and adopting the necessary measures to ensure that, within the framework of

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(Mr. Chiaradia, Argentina)

the Matignon Agreement, the inhabitants of New Caledonia would be able to exercise their right to self-determination in the best possible conditions in 1998.

63. On the subject of East Timor, they expressed their firm support for the dialogue entered into between the Indonesian and Portuguese Governments under the auspices of the Secretary-General and hoped that it would lead to a just and lasting solution.

64. The international community, including the administering Powers, agreed that colonialism was anachronistic and had no place in the present international context. It should therefore be easy to complete the decolonization process speedily, although it must be stressed that the few remaining colonial cases were no less important than those that had already been settled in various ways. All that was needed was political will; whatever the difficulties, the United Nations and its Members were duty bound to bring the process to a successful conclusion.

65. Mr. EVANS (United Kingdom), speaking on behalf of the European Community and its member States, said that decolonization was a major success story of the postwar period. The United Nations had played a crucial role in that regard, and support must be given to the principle of self-determination and actions consistent with the Charter aimed at eliminating colonialism, irrespective of the geographical location and size of the Non-Self-Governing Territory.

66. In the previous year, the European Community and its member States, supported by the delegations of other States, had drawn attention to the fact that the draft resolutions and decisions submitted to the Committee contained elements and language which did not in any way serve the real interests of the remaining Non-Self-Governing Territories, and it was therefore regrettable to note that those drafts were virtually unchanged. They were based on the unacceptable premise that the Territories in question had not been authorized by the administering Powers to exercise their right to self-determination. The use of needlessly confrontational language and of references to issues and agenda items which were totally irrelevant to the work of the Committee and to the interests of the Non-Self-Governing Territories must cease. It was therefore most disappointing to see once again, in the draft texts submitted to the Committee, references to apartheid which were no longer relevant to decolonization since Namibia had gained independence in March 1990. The also objected to the consideration of a draft decision relating to military activities, since that was not an item allocated to the Fourth Committee.

67. Although the rationalization of the work of the Committee was welcome, that process must continue, in particular with the incorporation of the agenda of the Special Political Committee into the work of the Fourth Committee, while maintaining the respective mandates of the two bodies.

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(Mr. Evans, United Kingdom)

68. Two regional issues were of particular importance to the European Community and its member States. In Western Sahara, they supported the efforts of the Secretary-General and the work of the United Nations Mission for the Referendum in Western Sahara (MINURSO) and hoped that a referendum would be held as planned. In East Timor, they warmly welcomed the resumption of the dialogue between the Governments of Indonesia and Portugal and hoped that it would lead to a comprehensive, just and internationally accepted settlement.

69. Mr. MAINO (Papua New Guinea) supported the Secretary-General's report entitled "An agenda for Peace" as an initiative in the right direction, and undertook to cooperate with other States in addressing the pressing issues faced by the Organization, especially in the field of decolonization. All Member States of the United Nations must abide by their obligations under the Charter and honour General Assembly resolutions. Since the adoption, in 1960, of General Assembly resolution 1514 (XV), over 80 colonies and dependent Territories had become self-governing or independent, but decolonization was not complete and must remain a priority in order to implement General Assembly resolution 43/47 concerning the International Decade for the Eradication of Colonialism.

70. The measures already taken to review the work of the Special Committee in response to the concerns expressed by delegations were encouraging, especially the merger of the two subcommittees, the consolidation and streamlining of resolutions and the harmonization of the wording of resolutions and decisions. The review process must be a continuous one so that the Committee could respond as efficiently and effectively as possible, but the approach adopted must take due account of the specific needs and conditions of the Territories concerned.

71. Most of the remaining Non-Self-Governing Territories were small islands located in the Pacific and Caribbean regions. They had limited resources and were vulnerable to natural disasters and unplanned exploitation of natural resources, as well as to illicit activities such as drug trafficking and money laundering. The cooperation of the administering Powers, an obligation under Article 73 of the Charter, was essential in that regard, as well as for the implementation of the Plan of Action of the International Decade to Eradicate Colonialism by the Year 2000.

72. The seminars on decolonization held since 1990 had proved useful, especially for the dissemination of information, and further seminars should therefore be organized. Papua New Guinea would be hosting the Pacific regional seminar on decolonization in 1993. The participation of representatives from the Territories was vital, and they should be given financial assistance for that purpose.

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(Mr. Maino, Papua New Guinea)

73. Papua New Guinea welcomed the positive measures taken by the South African authorities towards dismantling apartheid during the previous year, but sanctions must be maintained until the South African regime had fully complied with the Declaration on Apartheid and its Destructive Consequences in Southern Africa.

74. With reference to Western Sahara, it was to be hoped that the parties concerned would cooperate fully in implementing the United Nations plan.

75. He hoped that similar initiatives would also be taken in regard to the remaining Trust and Non-Self-Governing Territories, including New Caledonia, so that their peoples could exercise their inalienable right to self-determination and independence in conformity with the Charter and the Declaration. He called upon the General Assembly to provide the Special Committee and the Fourth Committee with the necessary means to pursue their work towards fulfilling the goals set out in General Assembly resolution 43/47, namely to achieve complete decolonization by the year 2000.

76. Ms. LIU Sha (China) said that 1992 was the second year of the International Decade for the Eradication of Colonialism, an important historical task of the United Nations. Over several decades, the peoples of colonies and Non-Self-Governing Territories, encouraged by the Declaration on decolonization, had rid themselves of colonial rule and had become independent. The colonial structure had collapsed, reflecting an inexorable historical trend.

77. Despite the great victories won, the vestiges of colonialism had not yet been totally eliminated. A dozen or so Non-Self-Governing Territories had yet to exercise their right to self-determination and independence. China had consistently held that those countries must be able to choose their political status freely and settle issues relating to their economic development independently. No country had the right to station troops or establish military bases in those Territories. Foreign economic entities operating there should fully respect the interests of the Territories. The administering Powers must promote the development of the local peoples in all spheres.

78. China supported the United Nations activities aimed at eradicating colonialism by the year 2000. It welcomed the contribution of the Special Committee and supported the recommendations put forward in its report.

79. The Committee's workload had decreased considerably as compared with the 1960s and 1970s. His delegation consequently welcomed the measures taken to raise the efficiency of the Special Committee, such as the merging of the two subcommittees and the decision to adopt an omnibus resolution. In conclusion, it was ready to continue along those lines and cooperate with other Member States with a view to achieving the goal of eliminating colonialism completely as soon as possible.

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80. Mr. RIBEIRO (Brazil) said that, given the success achieved by the United Nations in the area of decolonization, it would be easy to dismiss the last few remaining colonial concerns by arguing that they had a lower priority. That, however, was not the case. At that point, he wished to pay tribute to a Brazilian diplomat, Mr. Houaiss, who had championed the noble principles of decolonization in the early 1960s. None the less, the task begun by Mr. Houaiss and his colleagues some 30 years ago, while approaching its end, still remained unfinished.

81. His delegation wished to draw attention to the role played by the Special Committee on decolonization. In order to facilitate the work of the Fourth Committee, the Special Committee should continue to improve and diversify its work, taking into account the need to bring its decisions into line with a changing international reality. The objective remained the same, namely promoting the cause of self-determination until colonialism was completely eradicated. It should, however, concern itself first and foremost with expanding the political and economic base of the Territories in order to ensure the exercise of their right to self-determination and independence.

82. That led to the question of economic activities in the Non-Self-Governing Territories. Brazil fully supported the principle of establishing an adequate economic base; the economic advancement of colonial peoples was an objective enshrined in the United Nations Charter and could prove to be a significant force in furthering the objective of self-determination. Quite simply, the United Nations and the administering Powers should jointly ensure that economic activities did not harm the environment and that any profits gained from such activities were used to benefit the people in those Territories. Accordingly, the Non-Self-Governing Territories and their adjacent areas should not be used for the testing, deployment or stockpiling of nuclear weapons or other weapons of mass destruction. A reassessment should also be made of the role of military installations and bases in those Territories, as they could - and often did - constitute an obstacle to implementing the principles of the Charter and the Declaration, particularly at a time when political and ideological rivalries gave way to cooperation and concord.

83. With regard to the question of Western Sahara, Brazil welcomed the resolutions adopted by the Security Council on the referendum, as well as the actions taken by the Secretary-General and his Special Representative to allow the people of Western Sahara to determine freely their political destiny. He hoped that draft resolution A/C.4/47/L.2 would be adopted by consensus.

84. Regarding East Timor, his delegation had noted with satisfaction the contacts between the Governments of Portugal and Indonesia, under the auspices of the Secretary-General, aimed at creating an atmosphere conducive to substantive negotiations on the self-determination of the people of Timor. Such developments were encouraging, and he hoped they would lead to a fair, comprehensive and internationally acceptable solution to the question.

(Mr. Ribeiro, Brazil)

85. Finally, Brazil joined Argentina in expressing hope that the current understanding between Argentina and the United Kingdom would favour the resumption of negotiations aimed at finding a fair and definitive solution to the dispute on the sovereignty of the Malvinas Islands.

86. The end of the cold war had become a leitmotiv in world politics. His delegation believed that, in view of its historic background, the Fourth Committee was in a position to influence positively the process of international system restructuring. Current times were rich in questions but very poor in satisfactory answers. The reply was to be found in the Committee's own files. The democratization of the international system had started when most peoples of the world were granted self-determination. If efforts were made to organize the international community on a totally democratic basis and to build a world where democratic principles were respected and applied, no colonial Territory should be deprived of the right to self-determination, which ultimately rested on the principle of popular sovereignty. Thus, the changes in the international scenario, as well as the lessons which could be learnt from it, highlighted the importance of finally eradicating all colonial situations. That remained the task and the responsibility of the Fourth Committee, and would be its valuable contribution to the construction of a truly democratic world.

87. Mr. JENIE (Indonesia), speaking in exercise of the right of reply, said that his Government was opposed to consideration of the so-called question of East Timor; the people of East Timor had freely exercised its legitimate right to self-determination in full compliance with the relevant General Assembly resolutions. The outcome had been the clear and undeniable wish for East Timor to become part of the Republic of Indonesia. The principles and objectives cherished by all members of the Committee had been fully respected, and that act of self-determination had closed a long chapter in the history of colonialism in Indonesia. In order to illustrate how fully the inhabitants of East Timor were integrated in Indonesia, he told the Committee that, during the last elections to both the regional and national Houses of Representatives, held on 9 June 1992, a very high proportion of them had taken part in the popular consultations. In that manner, they had elected their representatives and their governor, Mr. Suarez, who was now the fifth governor of the province since East Timor had become part of Indonesia. It was therefore evident that the inhabitants of East Timor had expressed their political opinion and participated fully in Indonesian political life.

88. Mr. RIBEIRO-TELLES (Portugal), speaking in exercise of the right of reply, wished to draw attention to the fact that East Timor was a Non-Self-Governing Territory under Portuguese jurisdiction, which appeared on the list (drawn up on the authority of the General Assembly) of Territories to be studied by the Fourth Committee and the Special Committee on decolonization. In addition, Chapter XI of the Charter was still applicable in East Timor. The United Nations and the international community had never recognized that the process of decolonization had been brought to a

(Mr. Ribeiro-Telles, Portugal)

satisfactory end in East Timor. The so-called "acts of free choice" referred to by the Indonesian representative had never been accepted by the international community, which reaffirmed the right of the people of East Timor to self-determination. Furthermore, Indonesia had hitherto refused to implement those resolutions of the General Assembly and the Security Council which required the immediate withdrawal of its forces from the Territory of East Timor, which it had been illegally occupying since the invasion of December 1975.

89. The CHAIRMAN pointed out that rights of reply were limited to two statements per delegation on any one question at any one meeting. The first statement should be no longer than 10 minutes and the second no longer than five minutes.

90. MR. JENIE (Indonesia), speaking in exercise of the right of reply, repeated that the process of decolonization had been carried out strictly according to General Assembly resolutions 1514 (XV) and 1541 (XV). The result had been that East Timor had achieved independence by becoming part of Indonesia. The people of East Timor lived in peace, stability and security and fully enjoyed the benefits and progress to which all Indonesians were entitled, a fact which was recognized by an increasing number of countries.

91. Mr. RIBEIRO-TELLES (Portugal), speaking in exercise of the right of reply, repeated yet again that the United Nations and the international community had never recognized that the process of decolonization had been brought to a satisfactory end with regard to East Timor.

AGENDA ITEM 105: PROGRAMME PLANNING

92. The CHAIRMAN recalled that at its 3rd plenary meeting on 18 September, the General Assembly had referred agenda item 105 concerning programme planning back to the Fourth Committee. The corresponding programmes (1 and 4) were contained in document A/47/6. Member States who wished to make their views known on the programmes in question should do so in writing and submit them by 26 October to the Chairman of the Committee for transmission to the President of the General Assembly. If he heard no objection, he would take it that the members of the Committee approved that procedure.

93. It was so decided.

AGENDA ITEM 101: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES

94. The CHAIRMAN informed the members of the Committee that the text of the draft resolution on that particular agenda item had been circulated and that he had additional copies if needed. He asked them to study the text of the draft for final consideration during the current session.

The meeting rose at 6.15 p.m.

UNITED NATIONS
General Assembly
FORTY-SEVENTH SESSION
Official Records

FOURTH COMMITTEE
5th meeting
held on
Tuesday, 19 October 1992
at 3 p.m.
New York

SUMMARY RECORD OF THE 5th MEETING

Chairman: Mr. KEMBER (New Zealand)

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6 November 1992
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The meeting was called to order at 3.30 p.m.

REQUESTS FOR HEARINGS (A/C.4/47/7/Add.1)

1. The CHAIRMAN said that he took it that the Committee wished to grant the request for a hearing relating to the question of New Caledonia, contained in document A/C.4/47/7/Add.1.

2. It was so decided.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (continued)

Question of New Caledonia

Hearing of petitioners (A/C.4/47/7 and 7/Add.1)

3. At the invitation of the Chairman, Mr. Neaoutyine (Chairman of the Front de libération nationale kanak socialiste) took a place at the petitioners' table.

4. Mr. NEAOUTYINE (Front de libération nationale kanak socialiste (FLNKS)) said that he wished to underscore the importance for the Kanak people of the political and geopolitical changes that had taken place in the world in recent years, and of the proclamation by the United Nations both of 1990-2000 as the International Decade for the Eradication of Colonialism and of 1993 as the International Year for the World's Indigenous People.

5. The United Nations commitment to stand on the side of the peoples struggling to achieve national sovereignty was an encouragement, and served to reinforce the repeated commitments by other international organizations which had reaffirmed the need to implement the Declaration on decolonization. Such reaffirmation was an indication of the persistence of the colonial system that many Powers still wanted to camouflage. France in particular was refusing to assume the obligations implicit in the fact that New Caledonia had once again been included in the list of colonial Territories, and its political and diplomatic initiatives sought to minimize the existence of the colonialism and to block the Kanak people's exercise of its right to independence and dignity. FLNKS was leading a struggle for the emancipation of the Kanak people who, in the course of 139 years of colonization, had resorted to almost every form of struggle. That long experience had taught it to count on its own strength. The Matignon Agreement of 1988 had laid down only minimal basic conditions and had not provided final solutions of the problems of New Caledonia.

(Mr. Neaoutyine)

6. The Rassemblement pour le Calédonie dans la République (RPCR) was maintaining its pro-French stand and the French Government was stubbornly insisting on considering the Kanak claims as a matter of internal policy. By signing the Matignon Agreement, FLNKS had given proof of its courage and responsibility, but had above all taken the chance that the issue would be handled intelligently.

7. The political, technical and financial mechanisms set up under the Agreement were extensive and the decentralization of administrations and responsibilities had made it possible to undertake a great deal in the past four years. Since in the light of the 1998 referendum the political objectives differed, the results were not the same. In the course of the 10-year period provided for in the Agreement, FLNKS was aiming to build an independent country, convince people that its struggle was justified, redress the various imbalances afflicting Caledonian society, and put in place the mechanisms for economic, financial and political independence. In North province and in the islands under their administration, the pro-independence leaders had launched indispensable large-scale public infrastructure and capital goods projects and put into effect policies to achieve those objectives. Many projects having to do with mineral prospecting, aquaculture, forest development, tourism or food crops had been started. In South province, administered by the right wing, one could not fail to note that greater Nouméa was being developed to the detriment of the other rural communes of the province because the RCPR economic interest groups were being backed by the authorities.

8. The political will of the Kanak movement was in sharp contrast to the wait-and-see attitude of the State and the conservatism of the local right wing, which formed the majority in the Congress. Four years after the 1988 Matignon Agreement, FLNKS was still waiting for reforms to be carried out in important fields (taxation, diversification of the economy, support for local development, the banking system, land tenure, social questions).

9. The land reform was still a priority and changes were necessary also in the housing area. FLNKS was demanding educational reform and better training of supervisory personnel and was recommending, in view of the alarming results, that greater attention be paid to the actual state of affairs in the country and to the general level of training.

10. FLNKS hoped that the unanimous support for the struggle it was leading would be echoed by the French authorities. A stronger commitment by the Government to work alongside the forces of progress would avert situations leading to a break. The point of view being proposed by FLNKS was the only viable one, especially since the most disadvantaged social strata had come to support the principle of the right to independence.

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(Mr. Neaoutyine)

11. The resurgence in New Caledonia of the old demon of intolerance was a source of concern, and it was to be feared that if the right wing returned to power in France, the advances made in recent years would be undone. He called France's attention to its failure to meet its obligations and invited the Committee to be vigilant and to see to it especially that his country was kept on the list of those to be decolonized.

Mr. Neaoutyine withdrew.

At the invitation of the Chairman, Mr. Tidjine (Congrès Populaire Kanak) took a place at the petitioners' table.

12. Mr. TIDJINE (Congrès Populaire Kanak) described the present situation of the Kanak people, who remained foreigners in their own country. Despoiled of their lands, the Kanaks had been relegated to reservations, without a nationality, mere citizens with a status differing from common law status. Today, that people was claiming its sacred rights to freedom, dignity, self-determination and independence, as well as the return of its lands.

13. It was evident from the report of the Independent Commission of Inquiry that New Caledonia remained a colony. The French Socialist Party had not kept its promises to the Kanak people and the Matignon Agreement of 1988 did not lead to self-determination as, three years after its signing, not even a start had been made towards resolving the problems that had led to its signing. The Independent Commission of Inquiry considered French policy in New Caledonia contrary to international law and morality.

14. The Matignon Agreement was intended to maintain the French State's control of New Caledonia's wealth and the opening of the frontiers of the 12 European countries would consolidate that colonialist policy of integration.

15. Following a traditional ceremony, about a hundred French soldiers had interfered and had flouted Kanak customs. He denounced that colonialist intervention and the dissolution of the Traditional Advisory Council provided for in the Matignon Agreement and the obstacles the French Government was creating to the broadcasting of a programme recorded at Ouvéa, where 19 Kanak activists had been killed by the colonialist army.

16. That negative record had led to the decision to establish the Congrès Populaire Kanak. He enumerated the main goals of the Congrès, which included the renewal of the Kanak people's cultural identity, constructing a society on the basis of traditional structures and values, basing Kanak socialist independence on the cultural values of the Kanak people themselves and re-establishing its sovereignty over its natural resources.

17. The Congrès would ensure the unity of the Kanak people by abolishing all political labels and boycotting all elections. It would appoint an international expert to prepare a detailed claim for compensation of the

(Mr. Tidjine)

damages caused New Caledonia's patrimony for submission to the International Court of Justice. It requested the help of the United Nations for that purpose.

18. The general secretariat of the Congrès had four areas of work: the immediate accession of the Kanak people to sovereignty, protection of the lands, natural resources and the environment, foreign relations and communications and information.

19. Economic, social and cultural development and questions of education and security would be dealt with in the proposal for a new society to be modelled on Kanak traditional organization within a direct people's democracy. The first Congrès of the Kanak people had solemnly established the authority of the Kanak people in its country. Its representative asked all the Member States of the United Nations to recognize that people's sovereignty.

Mr. Tidjini withdrew.

AGENDA ITEM 100: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (continued)

Hearing of petitioners (A/C.4/47/3)

At the invitation of the Chairman, Mr. Corbin took a seat at the petitioners' table.

20. Mr. CORBIN (Chairman, Caribbean Development and Cooperation Committee, Working Group of Non-Independent Caribbean Countries) said that the purpose of the Working Group he headed was to increase the participation of non-independent Caribbean countries in programmes and activities of the United Nations system in accordance with the relevant resolutions of the General Assembly since 1950. In 1987 the Working Group had begun its work by examining the compliance of the specialized agencies and technical organs of the United Nations system with the General Assembly's resolutions and provided the Special Committee and the Fourth Committee with a report on its activities annually. Those activities had been endorsed in resolutions of the Economic and Social Council and supported by the participants in the Decolonization Seminars held in Vanuatu and Barbados.

21. He welcomed the adoption by the General Assembly at its forty-sixth session of resolution 46/70 entitled "Cooperation and coordination of specialized agencies and the international institutions associated with the United Nations in their assistance to Non-Self-Governing Territories", which referred to the work of the Caribbean Development and Cooperation Committee and called on the Secretary-General to take the necessary measures for

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(Mr. Corbin)

promoting and expanding cooperation and coordination among the specialized agencies and international institutions associated with the United Nations in their assistance to Non-Self-Governing Territories. As the Secretary-General was also asked to report to the General Assembly on the implementation of that resolution, the report to be submitted should prove useful to the Working Group.

22. One of the most recent developments of interest to the Caribbean Development and Cooperation Committee had been the regional Decolonization Seminar held in Grenada. The representative of Jamaica, who had represented the Committee, had reported on its activities in the area. In paragraph 31 of the Seminar's report, the participants had urged the Special Committee to seek the collaboration of the Working Group on its proposed comprehensive study on the access of the Non-Self-Governing Territories to programmes and activities of the United Nations system with the aim of identifying methods for increased participation by those Territories. The Caribbean Development and Cooperation Committee was indeed interested in developing a working relationship with the Special Committee in furtherance of the goal of increased participation by the Non-Self-Governing Territories in the activities of the United Nations system pursuant to General Assembly and Economic and Social Council resolutions. In paragraph 33 of the same report, those two bodies were invited to support the inclusion in their resolutions of provisions to enable Non-Self-Governing Territories to participate in technical meetings in an observer capacity. In fact, members of the Working Group had been invited to participate in the Earth Summit as observers. In paragraph 34 of the report, it was proposed that the Special Committee should seek to identify and work to remove all obstacles to the full participation of Non-Self-Governing Territories in the work of all United Nations bodies.

23. The desire expressed by the Grenada Seminar participants for collaboration between the Special Committee and the Caribbean Development and Cooperation Committee would be brought to the latter Committee's attention at its fourteenth session, which was scheduled for December 1992.

Mr. Corbin withdrew.

24. Mr. CHOLMONDELEY (United Nations Development Programme) said that the seven Non-Self-Governing Territories in the Caribbean had a number of characteristics in common. They were stable democracies whose economies were tourism-based and which enjoyed relatively high standards of living; they were small island territories vulnerable to changes in the international economic environment as well as to natural disasters; their per capita incomes ranged from US\$ 750 for the Turks and Caicos Islands to US\$ 7,400 for the British Virgin Islands; their populations were small and the administering Power was their principal source of external capital and development assistance, other major donors showing little interest in the provision of concessional resources.

(Mr. Cholmondeley)

25. Over the period 1987-1991, support to those Territories by UNDP and other bodies of the United Nations system had amounted to just over US\$ 5,000,000 and had focused on enhancement of national capacities through assistance in the following areas: reform of the public sector; human resource development with particular emphasis on education; and the services sector, in particular offshore financing.

26. For the period 1992-1996, allocations provided by agencies of the United Nations system, including UNDP, would also total just over US\$ 5,000,000. During that period, UNDP programmes would support the Governments' efforts to reconcile growth, particularly in the tourism sector, with the avoidance of environmental degradation, to develop appropriate human resource development strategies with a view to improved performance in the education sector, upgrading of skills and improved management in the public sector, and to build up capacities to reduce vulnerability to natural disasters through integration of disaster response and prevention strategies in mainstream development funds.

27. Given the development of the territories' economic situation, only two of them would qualify for grant technical assistance from UNDP by 1996, the others being required to finance such assistance from their regular budgets, a pattern already established in the case of the Cayman Islands, the Netherlands Antilles and Aruba.

28. With regard to the issue of coordination, he said that UNDP was executing major programmes in New Caledonia, Tokelau, American Samoa and the Trust Territory of the Pacific Islands. As those Territories were facing increasingly numerous and complex intersectoral, intrasectoral and transborder problems, the coordination established by UNDP resident representatives with other agencies of the United Nations system was therefore of great importance, especially in ensuring judicious utilization of limited resources. In conclusion, he said that cooperation between the Territories in such fields as disaster relief and the prevention of environmental degradation and the spread of AIDS was helping to promote coordination of activities.

29. The CHAIRMAN asked the representative of UNDP to specify what Territories of the Pacific would qualify for free technical assistance from UNDP in 1996.

30. Mr. CHOLMONDELEY (United Nations Development Programme) said that any Territory whose annual income exceeded \$4,500 ceased to be eligible for UNDP assistance provided free of charge through the allocation of an Indicative Planning Figure. Before answering the question, he would have to check the economic projections relating to the Trust Territory of the Pacific Islands. In any event, Territories could continue to receive other forms of assistance from other bodies of the United Nations system or even from UNDP under its regional or special programmes.

31. Mr. LOHIA (Papua New Guinea) said that UNDP was to be commended for its efforts on behalf of Non-Self-Governing Territories and other developing countries. The additional information on the Trust Territory of the Pacific Islands which the UNDP representative had undertaken to supply was of particular interest to his delegation. The administering Powers, as Members of the United Nations, could apparently exercise a preponderant influence in connection with assistance requests relating to the administered Territories addressed to United Nations agencies. He asked the UNDP representative to indicate whether Territories could submit a request for assistance directly to UNDP.

32. Mr. CHOLMONDELEY (United Nations Development Programme) said that each of the Governments of island Non-Self-Governing Territories indicated to UNDP the name of the entity empowered to contact it. In the matter of technical assistance provided to the various Territories, UNDP officials therefore had no contacts with the administering Powers other than at meetings of the Economic and Social Council and of the Fourth Committee. So far as the Trust Territory of the Pacific Islands was concerned, he would supply the information requested as soon as possible.

33. Mr. LOHIA (Papua New Guinea) reiterated the view that the administering Powers were in a position to exercise some influence in the matter of technical assistance furnished to the Territories by UNDP, and asked whether the Territories could approach UNDP directly in the event of any disagreement with the administering Power.

34. Mr. CHOLMONDELEY (United Nations Development Programme) said that in the case of the Territories he knew - those of the Caribbean - UNDP always established contact directly with the Government of the Territory.

35. Mr. LOHIA (Papua New Guinea) insistently requested that information supplied by agencies of the United Nations system should in future cover all the regions concerned.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (continued) (A/47/23, Parts II to VI; A/47/225, 391 and 506; A/AC.109/L.1785; S/23362, S/24040, S/24464)

AGENDA ITEM 98: INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS (continued) (A/47/120, A/47/204, A/47/473)

AGENDA ITEM 99: ACTIVITIES OF THOSE FOREIGN ECONOMIC AND OTHER INTERESTS WHICH IMPEDE THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION AND EFFORTS TO ELIMINATE COLONIALISM, APARTHEID AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA (continued) (A/AC.1/109/1097 to 1106, 1108 to 1113, 1116 to 1120, 1123 to 1125)

AGENDA ITEM 100: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (continued) (A/47/281 and Add.1)

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/47/3, chaps. I to V, sect. E, E/1992/85)

AGENDA ITEM 101: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES (continued) (A/47/486)

36. Mr. SLABY (Czech and Slovak Federal Republic) drew attention to the persistent unwillingness of the Special Committee on decolonization to perform its work in a spirit that was in conformity with the new situation which had emerged on the international scene. Without orchestrated efforts by the whole of the international community it would be difficult to begin to identify a good many problems, let alone effectively to solve them. If the Committee failed to avoid ideological dispute, it would be unable to advance.

37. His delegation had deeply appreciated the efforts of the Chairman of the Special Committee on decolonization and had in particular subscribed to many of his suggestions, as well as proposing fresh solutions, aimed, for example, at merging the draft resolutions on economic interests and military activities. Unfortunately, neither those proposals, nor the proposals that the Committee should not address the question of apartheid, which came within the competence of other bodies, had not been accepted by certain States or groups of States.

38. With regard to the text of the draft resolutions submitted by the Committee to the General Assembly, it was hardly possible to speak of progress. Even in the case of omnibus resolutions, which were a significant innovation adopted at the forty-sixth session and which had to some extent become generalized, the text in some cases lacked the absolutely essential simple and concrete provisions. More specifically with regard to draft resolutions on foreign economic interests, military activities and the implementation by the specialized agencies of the Declaration on decolonization, their language, which had remained virtually unchanged, particularly with regard to development, was even less admissible than that of the drafts submitted at the forty-sixth session. Furthermore, by adopting such texts in spite of the negative votes of several delegations, including the Czechoslovak delegation, the Committee had disavowed its own decision contained in the report of the working group, in which it had undertaken to update the texts of the drafts. The only positive step was having avoided name-calling. The decision taken by the Fourth Committee at its forty-sixth session to reassess and partially update the texts of drafts prepared by the Special Committee was of the utmost importance.

39. His delegation considered that questions relating to the elimination of the last remnants of colonialism should remain on the agenda of the General

(Mr. Slaby, Czech and Slovak
Federal Republic)

Assembly until all the peoples of Non-Self-Governing Territories exercised their right to self-determination, in conformity with the provisions of the Declaration on decolonization and with resolution 1541 (XV). To disregard reality was to court disaster.

40. Mr. KHERBI (Algeria) said that, while the United Nations could rightly be proud of the work it had thus far accomplished in furthering decolonization, its success should serve to reinforce its determination to eliminate the last vestiges of the colonial era, not to justify any premature relaxation of its efforts.

41. After briefly reviewing the question of Western Sahara since the adoption of General Assembly resolution 40/50 and recalling the provisions of Security Council resolutions 658 (1990) and 690 (1991) and General Assembly resolution 46/67, he noted that the clashes which had occurred in August 1991 had almost jeopardized the entry into force of the cease-fire of 6 September 1991, thereby complicating the work of the Identification Commission and hindering the implementation of the peace plan. The deployment of military observers from the United Nations Mission for the Referendum in Western Sahara (MINURSO) had also not proceeded without difficulties. The organization of the referendum had been significantly delayed and had been complicated by the problem of identifying the eligible voters. Voter identification was extremely important as the fairness of the referendum depended upon it, and the credibility of the United Nations was also at stake. Settlement of the issue, which required effective cooperation between the two parties concerned, should be in accord with the letter and spirit of the settlement plan approved by the Security Council and the two parties. It should be implemented with all the vigilance, fairness and impartiality which true self-determination would require and should freely and exclusively express the will of the people of Western Sahara.

42. Mindful of those difficulties, his delegation based its position on the objective accounts and conclusions of observers and was guided above all by the desire to assist in the victory of reason, law and justice. It firmly believed that with legality, peace, security and stability throughout the Maghreb region at stake, it was imperative to eschew narrow points of view, unilateral initiatives and positions written in stone. The question of Western Sahara, which had been under discussion for the past 17 years, had resulted in too much fratricidal bloodletting, too many insults and discord between two partners, the Moroccans and the Saharans, who would seem to have been born to live as good neighbours in brotherhood and harmony. The two protagonists, and the subregion as a whole, had no interest in seeing the conflict continue. Therefore, the best approach would be to reach a just and lasting settlement - something inconceivable without strict adherence to the commitments which were the best security for a truly long-lasting solution. The Kingdom of Morocco and Frente POLISARIO had had the good fortune to profit from the sustained efforts of the entire international community; those efforts had culminated in a settlement formula which was sufficiently well thought out to ensure a measured agreement and a commitment worthy of respect.

(Mr. Kherbi, Algeria)

43. As the President of the Council of State, Mr. Ali Kafi, had reaffirmed on 20 September 1992, the question of Western Sahara remained one of the major obstacles to Maghreb unification. Without reservation or hesitation, his Government had always supported the peace plan elaborated by the United Nations in cooperation with the Organization of African Unity and with the approval of the two parties concerned - the Moroccan Government and the Frente POLISARIO leadership. It regretted that the plan had been thwarted and delayed, urged the United Nations to redouble its efforts in implementing the plan and called upon the Governments of sister States to refrain from actions which might slow the peace process still further. It remained firmly committed to the building of the Arab Maghreb Union. Only when an atmosphere of peace, stability and security was finally re-established for each member and for the subregion as a whole, could the Maghreb, in a spirit of fraternity and concord, and by maintaining cordial relations with neighbours and engaging in mutually beneficial cooperation, settle down to completing the historic process of unification to which the Maghreb States had committed themselves since the constitution of the Arab Maghreb Union. Algeria was convinced that a just and lasting settlement of the conflict in Western Sahara would be a decisive step forward in releasing the resources required to unify the Arab Maghreb and enable it to flourish.

44. Mr. TROUG (Libyan Arab Jamahiriya) said that although some 60 countries had attained independence and sovereignty since the adoption of General Assembly resolution 1514 (XV), the Palestinian people was still denied its right to live in its land in freedom and the South African people was under the domination of a racist minority.

45. Notwithstanding some progress, the situation in South Africa remained tense, and the regime continued to play the card of divisiveness in order to perpetuate domination by the white minority. Further, the involvement of the South African military and police apparatus in the violence that had recently shaken the country had now become apparent. In that connection his Government welcomed the deployment of United Nations observers in areas likely to experience further outbreaks of violence. It must be stated that the regime could not have maintained itself without the support of certain States that collaborated with it in military and nuclear matters and authorized their corporations to continue to invest in South Africa.

46. The General Assembly had adopted many resolutions condemning the exploitation of the natural and human resources of the Non-Self-Governing Territories. Yet transnational corporations continued to exploit such Territories ever more systematically causing ever greater damage to the interests of those Territories. Moreover, the end of the cold war had not prevented certain Powers from maintaining military bases in the Territories they administered. Most such bases occupied large expanses of agricultural land, thus hampering the agriculture development of the Territories in question.

(Mr. Troug, Libyan Arab Jamahiriya)

47. Recalling that Libya had suffered from colonialism and inherited huge minefields from the Second World War, he said that the international community should ensure that those formerly colonized were indemnified. Similarly, administering Powers were required to continue to provide the Secretary-General with all necessary information on Non-Self-Governing Territories and to abstain from dumping waste in such Territories.

48. Mr. LOTFI (Islamic Republic of Iran) said that colonialism had not yet been fully eradicated, which was why the present Decade had been proclaimed the International Decade for the Eradication of Colonialism. Recent international developments had created a unique opportunity for the real implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

49. Regarding foreign economic interests, his delegation believed that while economic interactions could contribute to the development of Non-Self-Governing Territories and colonies, it was also true that some economic activities could impede rather than promote the political, economic, social and educational advancement of the peoples of such Territories. The latter were the rightful owners of the natural resources of dependent Territories, which must be developed in their interests and not those of the administering Powers. Moreover, certain military activities, including collaboration in the nuclear field with the racist South African regime and the establishment of military bases were in violation of the original mandates of the administering Powers. Moreover, notwithstanding some positive developments in South Africa, since January 1992 a reign of violence had been instituted, targeting black communities. In that connection his delegation welcomed the OAU decision to bring the question of violence in South Africa before the Security Council and the Security Council decision to deploy United Nations observers in South Africa. Lastly, his delegation supported the draft resolutions and decisions submitted to the Fourth Committee.

50. Mr. EVANS (United Kingdom) said that it was dispiriting to note that, despite the concerns expressed each year, the content of, and extreme language used in, the recommendations submitted by the Special Committee to the Fourth Committee were essentially copies of the previous year's. Further, it was totally incorrect to equate self-determination solely with independence and to forget that there were other options available. In that connection the guiding principle of the British Government's policy was that the wishes of the people living in dependent Territories were of primary importance. His Government took seriously its obligations under the Charter to develop self-government in dependent Territories and to act in cooperation with locally elected Governments to ensure that their constitutional frameworks continued to meet the wishes and aspirations of their peoples. The United Kingdom took a similar approach in responding to the economic needs of its dependent Territories. In that connection the draft resolution submitted to the Committee on the question of foreign economic interests was, once again, disappointing. The Special Committee must recognize the positive role of foreign investment, especially in small islands, which had limited capital and few natural resources.

(Mr. Evans, United Kingdom)

51. With regard to apartheid, he stressed that, following the independence of Namibia in 1990, the justification for the Fourth Committee to consider the question had been removed, since there was no link between the situation in South Africa and the interests of far-away Non-Self-Governing Territories. Similarly, the Special Committee had once again prepared a draft decision on military activities, an item that was not on the list of agenda items allocated to the Fourth Committee by the General Assembly. His delegation would thus vote against the draft resolution on foreign economic interests and the draft decision on military activities.

52. It should not be forgotten that the Special Committee was not the master of the Fourth Committee, but the other way around. The drafts submitted by the Special Committee illustrated only too well why three of the four administering Powers had withdrawn their cooperation. He proposed that some agenda items should be biennialized and that the Committee should work towards a merger of the Fourth Committee with the Special Political Committee, on the understanding that none of the items on their respective agendas need suffer.

53. Concerning the Falkland Islands, he stated that the United Kingdom would continue to work with the Government of Argentina to create an atmosphere of stability and cooperation in the South Atlantic, it being understood that sovereignty was not a matter that the United Kingdom was prepared to discuss.

The meeting rose at 5.55 p.m.